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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,111	11/21/2001	Salil V. Pradhan	1509-245	1301

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EXAMINER
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MANIWANG, JOSEPH R

ART UNIT	PAPER NUMBER
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2144

MAIL DATE	DELIVERY MODE
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07/16/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/989,111

**Applicant(s)**

PRADHAN ET AL.

**Examiner**

Joseph R. Maniwang

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,7,8,10,11,13,14,16-20,22,25,27-29,31-35 and 37-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,7,8,10,11,13,14,16-20,22,25,27-29,31-35 and 37-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/02/07 has been entered.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 3, 7, 8, 10, 11, 13, 14, 16-20, 22, 25, 27-29, 31-35, and 37-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. The term "considerably" in independent claims 1 and 18 is a relative term which renders the claim indefinite. The term "considerably" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The recitation of "a range that is considerably shorter than cellular data

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transfers protocols" and "a considerably higher data transfer rate than cellular data transfer protocols" is ambiguous as to the distinguishing factor claimed over the prior art, and furthermore is relative to various aspects of cellular data transfer protocol which are not defined and cannot be reasonably inferred by one of ordinary skill in the art in order to provide a reference point in understanding the intended scope of the claimed invention.

5. Claim 37 recites the limitation "the associated person". There is insufficient antecedent basis for this limitation in the claim.

6. Claim 42 recites the limitation "the transmitted alternation". There is insufficient antecedent basis for this limitation in the claim.

7. Claim 43 recites the limitation "the transmitted alternation". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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9. Claims 1, 3, 7, 10, 11, 14, 18-20, 22, 25, 27-29, 31, 33, 35, and 37-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Hlasny (U.S. Pat. No. 7,222,160).

10. Regarding claims 1 and 18, Hlasny disclosed a method and system comprising passing a first data set from the first network element to the second network element over the short range wireless network via a short range wireless network connection (see column 4, lines 1-5); passing a second data set from the second network element to the first network element over the short range wireless network via a short range wireless network connection (see column 4, lines 4-6); aggregating the first and second data sets (see column 4, lines 6-27); and forming a dynamically updated web page to represent the information included in both the first and second data sets by responding to the aggregated first and second data sets as passed over the short range data network via the short range wireless network connections, the short range wireless network connections having a range that is considerably shorter than cellular data transfer protocols and a considerably higher data transfer rate than cellular data transfer protocols (see column 4, lines 28-33).

11. Regarding claim 3, Hlasny disclosed the method and system further including polling by at least the first network element (see column 4, lines 1-4); ascertaining that there is a network element within the short range wireless network connection range by responding the polling (see column 4, lines 4-6); and causing said ascertained network element to connect to the short range wireless network and contribute information to the

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networked information resource as it connects to the short range wireless network (see column 4, lines 9-27).

12. Regarding claims 7, 25, and 27, Hlasny disclosed the method and system further comprising routing the passage of data between the first and second network elements through a third network element of the short range wireless network (see column 4, lines 9-27).

13. Regarding claims 10 and 35, Hlasny disclosed the method and system further comprising restricting access to some or all of the data stored on any one of the network elements of the short range wireless network by any other of the network elements of the short range wireless network (see column 5, lines 21-43).

14. Regarding claims 11 and 31, Hlasny disclosed the method and system further comprising repeatedly broadcasting a network address associated with the web page from a beacon at a first location, the beacon having a range that is considerably shorter than that of a cellular data transfer protocol (see column 4, line 51 through column 5, line 20).

15. Regarding claims 14 and 22, Hlasny disclosed the method and system wherein at least one of the first and second network elements is in the form of a mobile telecommunications device (see column 3, lines 13-36).

16. Regarding claim 19, Hlasny disclosed the method and system wherein the at least first network element is arranged to provide information to the networked information resource via at least one of the wireless network couplings (see column 3, lines 3-36).

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17. Regarding claim 20, Hlasny disclosed the method and system wherein the information is provided in response to a request from the at least second network element (see column 4, lines 28-50).

18. Regarding claim 28, Hlasny disclosed the method and system further including a server arranged for storing script for the web page (see column 4, lines 9-27).

19. Regarding claim 29, Hlasny disclosed the method and system wherein at least one of the network elements acts as a server (see column 4, lines 9-27).

20. Regarding claim 33, Hlasny disclosed the method and system wherein the system comprises a server and wherein the access point is arranged to couple a signal including web page data to the server (see column 4, lines 9-27).

21. Regarding claim 37, Hlasny disclosed the method and system wherein the method is performed while a meeting is conducted among plural participants (see column 3, lines 40-42), the meeting being conducted with the aid of the short range wireless network including a plurality of the short range wireless network elements (see column 3, lines 3-12), the elements having a memory, each of the participants being associated with one of the network elements (see column 3, lines 13-36), the network element associated with each participant storing in the memory thereof personal information about the associated person (see column 3, lines 37-53), the method further comprising in response to a first participant entering the meeting, causing the first network element to transmit via the short range wireless network the personal information about the first participant to a device of the network, the device including a memory storing the web page (see column 4, lines 1-27); storing the personal

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information about the first participant that was transmitted via the network from the first element to the device in the device memory so the personal information about the first participant is on the web page (see column 4, lines 11-50); in response to a first participant entering the meeting causing the second network element to transmit via the short range wireless network the personal information about the second participant to the device of the network (see column 4, lines 1-27); storing the personal information about the second participant that was transmitted via the network from the first element to the device in the device memory so the personal information about the second participant is on the web page and so that the device memory stores and the web page includes the personal information of the first and second participants (see column 4, lines 11-50); and causing the device memory to distribute the personal information of the first and second participants on the web page to network elements of participants of the meeting via a link including the short range wireless network (see column 5, lines 7-10).

22. Regarding claim 38, Hlasny disclosed the method and system further including the step of the first element sending a sign out signal via the short range wireless network to the device memory in response to the first participant leaving the meeting (see column 5, lines 44-53).

23. Regarding claim 39, Hlasny disclosed the method and system wherein the first and second network elements are mobile devices that can be carried by one hand of the first and second participants (see column 3, lines 13-36), and the transmitting steps for the personal information about the first and second participants are performed by



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transmissions from the mobile devices in response to the first and second participants entering an area where the meeting is being held as a result of the mobile devices of the first and second network elements being carried by the first and second participants into the meeting area (see column 3, lines 13-36).

24. Regarding claim 40, Hlasny disclosed the method and system wherein the device is one of the network elements (see column 3, lines 37-67).

25. Regarding claim 41, Hlasny disclosed the method and system wherein the device is a network server that differs from a network element of a participant (see column 4, lines 9-27).

26. Regarding claim 42, Hlasny disclosed the method and system wherein one of the participants alters the information stored in the device memory and on the web page by activating the network element associated with said one participant, transmitting the alteration from the network element associated with said one participant to the device memory via a link including the short range wireless network, and causing the device memory to store the transmitted alteration and the transmitted alteration to modify the web page (see column 5, lines 11-43).

27. Regarding claim 43, Hlasny disclosed the method and system wherein a plurality of the participants alter the information stored in the device memory and on the web page by activating the network element associated with said one participant, transmitting the alteration from the network element associated with said one participant to the device memory via a link including the short range wireless network, and causing

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the device memory to store the transmitted alteration and the transmitted alternation to modify the web page (see column 5, lines 11-43).

28. Regarding claim 44, Hlasny disclosed the method and system wherein the network includes more than two of said elements that transmit the personal information about the participants directly to each other (see column 4, lines 1-8).

***Claim Rejections - 35 USC § 103***

29. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

30. Claims 8, 13, 16, 17, 32, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hlasny (U.S. Pat. No. 7,222,160), and further in view of Saint-Hilaire et al. (U.S. Pat. App. Pub. 2002/0146981), hereinafter referred to as Saint-Hilaire.

31. Hlasny disclosed a method and system comprising passing a first data set from the first network element to the second network element over the short range wireless network via a short range wireless network connection (see column 4, lines 1-5); passing a second data set from the second network element to the first network element over the short range wireless network via a short range wireless network connection (see column 4, lines 4-6); aggregating the first and second data sets (see column 4, lines 6-27); and forming a dynamically updated web page to represent the information included in both the first and second data sets by responding to the aggregated first and

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second data sets as passed over the short range data network via the short range wireless network connections, the short range wireless network connections having a range that is considerably shorter than cellular data transfer protocols and a considerably higher data transfer rate than cellular data transfer protocols (see column 4, lines 28-33).

32. Hlasny did not specifically disclose accessing the networked information resource via the third network element, which forms an access point between the short range wireless network and another network. Similarly, Hlasny did not specifically disclose repeatedly broadcasting the network address via a second beacon at a second location, the second location being an access point connected to the network address and to a network different from the short range wireless network, the second location access point transferring information between the network address and the different network; wherein at least one of the first and second network elements includes a long-range cellular transceiver that communicates the dynamically updated web page to a cellular network; or accessing the networked information resource via a cellular transceiver associated with another network element. The deficiencies in Hlasny regarding these limitations of the claims can be generalized as a failure to teach the claimed "different network" existing outside of the "short range wireless network" accessible through a cellular transceiver.

33. In a related art, Saint-Hilaire disclosed a system for extending short range network communications over a longer range network (see Abstract). Similar to Hlasny, Saint-Hilaire disclosed a short range wireless network of a plurality of network elements

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(see paragraphs [0015], [0016]). Saint-Hilaire further disclosed the use of a cellular device as an access point to another network also connected to the short range wireless network (see paragraph [0014]).

34. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hlasny and Saint-Hilaire to provide a system for communicating data within a short range wireless network through a cellular access point to another network as claimed. Saint-Hilaire disclosed one such system in which a short range wireless network connected to another network through a cellular phone, which reads on the claimed "long-range cellular transceiver" acting as an "access point between the short range wireless network and another network". One of ordinary skill in the art would have been motivated to incorporate the teachings of Saint-Hilaire as it was disclosed as an effective way of lengthening the communication ranges of conventional personal area networks (see paragraph [0008]).

### ***Response to Arguments***

35. Applicant's arguments with respect to claims 1, 3, 7, 8, 10, 11, 13, 14, 16-20, 22, 25, 27-29, 31-35, and 37-44 have been considered but are moot in view of the new ground(s) of rejection. Examiner submits that the claimed invention is taught by the prior art of record as detailed in the above rejection under 35 U.S.C. 102(e) and 35 U.S.C. 103(a).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Naden (U.S. Pat. No. 7,057,635)

Brassil et al. (U.S. Pat. App. Pub. 2002/0132632)

Pierce (U.S. Pat. No. 7,152,110)

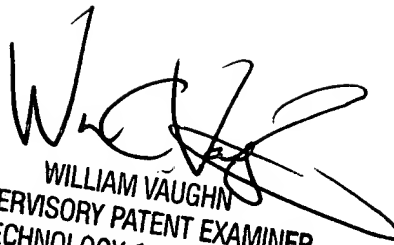
Erekson (U.S. Pat. No. 6,622,018)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R. Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JM

  
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